

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Edward Walenty TOTA

Serial No.: 10/587,285

Filed: July 25, 2006

For: ROCK BREAKING CARTRIDGE AND  
USE THEREOF

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Apr 19 2007  
(Date of Deposit)

John G. Tutunjian

Name of applicant, assignee or Registered Representative

[Signature]  
Signature

Apr 19 2007  
Date of Signature

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE  
UNITED STATES DESIGNATED/ELECTED  
OFFICE (DO/EO/US)**

Mail Stop PCT  
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Alexandria, VA 22313-1450

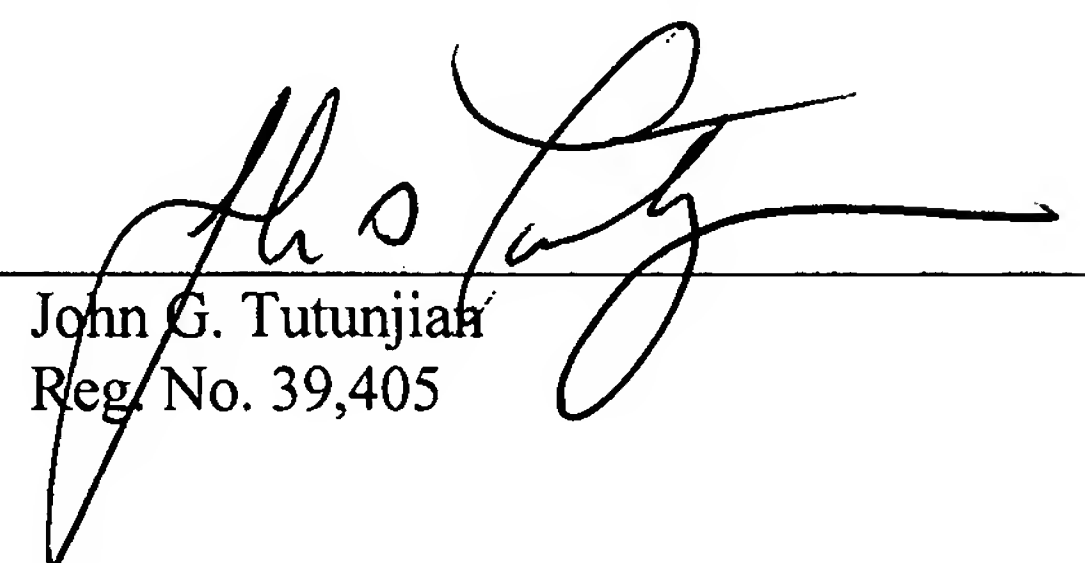
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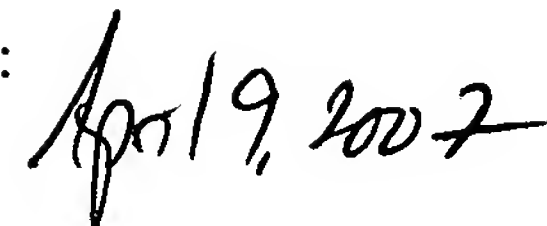
In order to complete the filing of missing requirements for the above-identified application, applicant(s) submit(s) herewith the following:

- [x] Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the US Designated//Elected Office (DO/EO/US).  
04/13/2007 GFREY1 00000045 10587285  
01 FC:2617 65.00 OP
- [x] Executed Declaration. The application filed in the U.S. Patent and Trademark Office is the application which the inventor(s) executed by signing the enclosed Declaration.
- [x] Check in the amount of \$65.00 to cover the late filing of the Declaration and Assignment, as required by 37 CFR 1.497(a) and (b).

- ☒ Assignment Document
- ☒ Recordation cover sheet - PTO Form 1595
- ☒ Check in the amount of \$40.00 to cover the recordation fee

Respectfully submitted,  
KEUSEY, TUTUNJIAN & BITETTO, P. C.

By:   
John G. Tutunjian  
Reg. No. 39,405

Date: 



## UNITED STATES PATENT AND TRADEMARK OFFICE

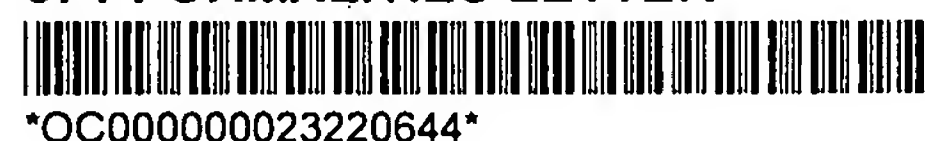
UNITED STATES DEPARTMENT OF COMMERCE  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/587,285                  | Edward Walenty Tota   | 183-21           |

24336  
 KEUSEY, TUTUNJIAN & BITETTO, P.C.  
 20 CROSSWAYS PARK NORTH  
 SUITE 210  
 WOODBURY, NY 11797

| INTERNATIONAL APPLICATION NO. |               |
|-------------------------------|---------------|
| PCT/ZA05/00005                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 01/19/2005                    | 01/26/2004    |

CONFIRMATION NO. 6944  
 371 FORMALITIES LETTER



\*OC000000023220644\*

Date Mailed: 04/03/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/25/2006
- Copy of the International Search Report filed on 07/25/2006
- Copy of IPE Report filed on 07/25/2006
- Copy of Annexes to the IPER filed on 07/25/2006
- Preliminary Amendments filed on 07/25/2006
- Oath or Declaration filed on 07/25/2006
- U.S. Basic National Fees filed on 07/25/2006
- Priority Documents filed on 07/25/2006
- Specification filed on 07/25/2006
- Claims filed on 07/25/2006
- Abstracts filed on 07/25/2006
- Drawings filed on 07/25/2006

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KT & B

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

#### PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/587,285                  | PCT/ZA05/00005                | 183-21           |